REMARKS

Status of the Claims

Claims 1 – 16, and 18 – 25 remain pending in the application, Claim 17 having been canceled, and Claims 1, 12, 18, 22, 24, and 25 having been amended to more clearly define the present invention.

Objections to the Drawings

The Examiner has indicated that in FIGURE 4, reference numerals 152 and 154 are not mentioned in the description. An amendment to the specification that includes the reference numerals in applicants' specification is submitted above. This amendment does not introduce new matter, since the added text is limited to only what has been shown in the drawings as filed.

The Examiner has also indicated that FIGURE 7 does not include the reference numerals 227 and 229 that are mentioned in the specification on pages 19 and 20, respectively. A formal replacement drawing for FIGURE 7 in which these reference numerals have been added is submitted herewith, under separate cover. Accordingly, the objections to the drawings should be withdrawn.

Objection of Claim 25 under 37 C.F.R. § 1.75(c)

The Examiner has objected to Claim 25 under 37 C.F.R. § 1.75(c) as being of improper dependent form, since the claim broadens the invention as defined in independent Claim 1. As suggested by the Examiner, applicants have rewritten Claim 25 in independent form. Accordingly, the objection based on 37 C.F.R. § 1.75(c) has been addressed, and should be withdrawn.

Rejection of Claims 11 and 25 under 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected Claims 11 and 25 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention by the applicants. This rejection is now moot in regard to Claim 25, since it has been rewritten in independent form, as noted above. However, applicants respectfully disagree with this specific rejection, because it is well established that a dependent claim in this form is permitted to refer to an independent method claim. Claim 11 is a dependent claim that relates to the method of independent Claim 1, by reciting a memory media having computer-executable instructions for carrying out the steps of the method Claim. The mere recitation of memory media does not make Claim 11 (or Claim 25 as originally filed) unclear. There are many examples of U.S. Patents that include this claim form. In the experience of applicants' attorney, the U.S. Patent and Trademark

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Office has determined that this claim form is acceptable. Applicants' attorney respectfully suggests that the Examiner discuss this matter with his Supervisory Patent Examiner or Group Director, to learn more about the position of the U.S. Patent and Trademark Office regarding this claim form. In any case, dependent Claim 11 is definite because it points out and distinctly claims a further aspect of the method described in Claim 1. Accordingly, the rejection of Claim 11 should be withdrawn.

Claims Rejected under 35 U.S.C. § 102(e)

The Examiner has rejected Claims 1-9 and 11-25 as being anticipated by Kanevsky (U.S. Patent No. 6,300,947). The Examiner asserts that Kanevsky describes each element of applicants' claimed invention. Applicants respectfully disagree with the rejection. Nevertheless, applicants have amended independent Claims 1, 12, 18, 22, and 24 to more clearly define the invention, as further discussed below. In the interest of reducing the complexity of the issues for the Examiner to consider in this response, the following discussion focuses on amended independent Claims 1, 12, 18, 22, and 24, and on amended Claim 25. The patentability of each remaining dependent claim is not necessarily separately addressed in detail. However, applicants' decision not to discuss the differences between the cited art and each dependent claim should not be considered as an admission that applicants concur with the Examiner's conclusion that these dependent claims are not patentable over the disclosure in the cited references. Similarly, applicants' decision not to discuss differences between the prior art and every claim element, or every comment made by the Examiner, should not be considered as an admission that applicants concur with the Examiner's interpretation and assertions regarding those claims. Indeed, applicants believe that all of the dependent claims patentably distinguish over the references cited. However, a specific traverse of the rejection of each dependent claim is not required, since dependent claims are patentable for at least the same reasons as the independent claims from which the dependent claims ultimately depend.

With regard to amended independent Claim 1, applicants have clarified the recited method of selectively displaying an additional content in a Web page to more clearly distinguish over Kanevsky's method. Significant differences exist between Claim 1 and Kanevsky, with regard not only to the amount of content modification that is carried out by applicants' claimed invention and Kanevsky and the number of Web pages required by each approach to fully display the additional content, but also with regard to the source of the additional content that is being displayed.

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In applicants' claimed method, an additional content is selectively displayed in a Web page based on the available display area. The method automatically determines the dimensions of the available display area and then automatically determines whether the additional content and a primary content can both be fully displayed on the single Web page in the available display area without requiring scrolling in more than one direction and without requiring substantial modification of either the primary or the additional content. The additional content is not necessarily related to the primary content. For example, the secondary content might be advertising of a product or service that is not related to the primary content. If all of the preceding conditions are met, the additional content and the primary content are displayed. If any of these conditions is not met, only the primary content is displayed.

In contrast, Kanevsky's method fully displays a Web page content with no substantial modification *only when the available display space optimally matches the Web page representation as originally designed*. However, if the available display space is smaller than the Web page representation as originally designed, Kanevsky's method displays a substantially edited Web page content. (Kanevsky, col. 9, lines 35-39). Thus, only the substantially modified version is displayed, and this edited version no longer is the primary content. Clearly, applicants' method is different because the additional content and primary content are displayed only if the user can view the additional and primary content without having to scroll in more than one direction and without substantially modifying the additional and primary content. Thus, these conditions imposed by applicants' claimed invention are not disclosed or suggested by Kanevsky.

Second, Kanevsky's method teaches the use of multiple Web pages to display the primary and any secondary content. Unless the Web page representation optimally matches the display size, Kanevsky displays content on a single Web page with links to other content (refer to Kanevsky, col. 9, lines 35-41). Thus, the user has to access multiple Web pages in order to view the entire content. In contrast, applicants' method enables the user to perceive the primary content and additional content that will fit on a single Web page without substantial modification of either the primary or additional content. Hence, applicants' method does not require the user to perform the additional steps of opening multiple Web pages in order to view primary and additional content.

Third, Kanevsky's method displays additional content only if it is related to the primary content (see Kanevsky, col. 2, lines 43-44). In contrast, applicants' method displays additional

content without regard to its source or its relationship to the primary content. In applicants' claimed invention, additional content can comprise advertisements, more information concerning the primary content, or any other kind of data or graphics.

In addition to the above-mentioned distinctions, the application of scroll bars to display additional content also differs between applicants' and Kanevsky's methods. The potential use of scroll bars to display the content only arises in Kanevsky when there is an icon whose size is not known prior to display (Kanevsky, col. 16, lines 27-29). But, the user may have to scroll in two directions in order to view the content in Kanevsky. In other situations, scroll bars are not used, since Kanevsky substantially modifies the content by stripping out objects and links and folding web pages in order to display content (Kanevsky, col. 9, lines 35-41). In contrast, applicants' method only displays the additional content and primary content if the user can view the additional and primary content *without having to scroll in more than one direction* and without substantially modifying the additional and primary content.

Accordingly, the rejection of independent Claim 1 under 35 U.S.C. § 102(e) over Kanevsky should be withdrawn based on the reasons given above. Because dependent claims are considered to include all of the elements of the independent claims from which the dependent claims ultimately depend and because Kanevsky does not disclose or suggest all of the elements of independent Claim 1, the rejection of dependent Claims 2-9, 11, and 25 under 35 U.S.C. § 102(e) over Kanevsky should also be withdrawn, for at least the same reasons as the rejection of Claim 1.

With regard to amended independent Claim 12, applicants have amended the claim to clarify how their method of controlling display of a Web page on a device clearly distinguishes over Kanevsky's method. The amendment to Claim 12 adds similar language to that used in independent Claim 1 and recites additional details that are not taught or suggested by Kanevsky. In this method, an available display area for displaying a content of the Web page on the device is automatically determined. The next step automatically determines a combination of different portions of the content that can be fully displayed in a single Web page in the available display area without requiring scrolling in more than one direction and without requiring substantial modification of the content. This step includes at least one of the steps of automatically converting a portion of the content into a moving image within the available display area, or automatically subdividing a portion of the content into sub-portions that are displayed sequentially within the available display area.

1 Finally, the method only displays the portion of the content that can be fully displayed in the

2 available display area without scrolling in more than one direction and without requiring substantial

3 modification of the content.

4 Again, Kanevsky's method differs significantly from that recited in applicants' Claim 12.

5 Kanevsky displays a substantially edited content on a Web page if the available display space is

6 smaller than the Web page representation as originally designed (Kanevsky, col. 9, lines 35-39). In

7 contrast, applicants' method displays a combination of different portions of the content on a Web

8 page without requiring scrolling in more than one direction and without requiring the content to be

9 substantially modified. Furthermore, Kanevsky does not teach or suggest combining different

10 portions of the content by converting some of the content into moving images (that enable the content

11 to be fully displayed as the images move over time) or into sequential images, which also enable the

12 content to be fully displayed over time.

13 Kanevsky also does not teach or suggest displaying a combination of content on a single Web

14 page. Instead, Kanevsky displays content on a single Web page with links to other Web pages that

15 can be selected to view the content represent by the links, if prioritized objects of a known size

16 cannot fit on the screen. In contrast, applicants' method enables the user to perceive the combination

17 of different portions of the content that are not substantially modified, on a single Web page. Hence,

18 applicants' method does not require the user to open multiple Web pages in order to view the entire

19 content.

20 Accordingly, the rejection of independent Claim 12 under 35 U.S.C. § 102(e) over Kanevsky

21 should be withdrawn. Because dependent claims are considered to include all of the elements of the

22 independent claims from which the dependent claims ultimately depend, and because Kanevsky does

23 not disclose or suggest all of the elements of independent Claim 12, the rejection of dependent

24 Claims 13-16 under 35 U.S.C. § 102(e) over Kanevsky should also be withdrawn. Note that

25 dependent Claim 17 has been cancelled and much of its recitation has been moved into Claim 12.

26 With regard to amended independent Claim 18, applicants have clarified the type of content

27 being claimed and provided further clarification that patentably distinguishes their method over

28 Kanevsky's method. Claim 18 is directed to a method for providing an additional content to a

29 browser program for display in a browser window without requiring scrolling in more than one

30 direction to fully display the additional content. The method automatically detects properties that

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1 identify the browser program, and automatically determines instructions that are compatible with the

2 browser program. The instructions enable display of at least a portion of the additional content

3 without scrolling in more than one direction and without requiring substantial modification of the

4 additional content, based on an available display area in the browser window. The instructions are

5 then communicated to the browser program and cause the additional content to be fully displayed

6 only if possible to do so without requiring scrolling in more than one direction and without requiring

7 substantial modification of the additional content.

8 Clearly, for many of the reasons already noted, the amended claim distinguishes over

9 Kanevsky. Kanevsky's method displays additional content in a browser program only by

10 substantially modifying the content (Kanevsky, col. 9, lines 35-39). In contrast, applicants' method

11 determines instructions that are compatible with the browser program to display at least a portion of

12 the additional content without requiring scrolling in more than one direction and without requiring

13 substantial modification of the content.

14 Accordingly, the rejection of independent Claim 18 under 35 U.S.C. § 102(e) over Kanevsky

15 should be withdrawn. Because dependent claims are considered to include all of the elements of the

16 independent claims from which the dependent claims ultimately depend, and because Kanevsky does

17 not disclose or suggest all of the elements of independent Claim 18, the rejection of dependent

18 Claims 19-21 under 35 U.S.C. § 102(e) over Kanevsky should also be withdrawn for at least the same

19 reasons as the rejection of Claim 18.

20 With regard to amended independent Claim 22, applicants have clarified the system that is

21 defined by the claim so that it clearly implements function different than those of Kanevsky's

22 method, both in regard to the modification of content required by Kanevsky to fully display the

23 additional and primary content, and in regard to the source of the additional content. This claim

24 distinguishes over Kanevsky for reasons similar to those expressed above in connection with Claim 1.

25 Accordingly, the rejection of independent Claim 22 under 35 U.S.C. § 102(e) over Kanevsky should

26 be withdrawn. Because dependent claims are considered to include all of the elements of the

27 independent claims from which the dependent claims ultimately depend, and because Kanevsky does

28 not disclose or suggest all of the elements of independent Claim 22, the rejection of dependent

29 Claim 23 under 35 U.S.C. § 102(e) over Kanevsky should also be withdrawn for at least the same

30 reasons as the rejection of Claim 22.

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With regard to amended independent Claim 24, applicants have slightly clarified their system in regard to the functions that it carries out to more clearly distinguish over Kanevsky. The differences between the invention of Claim 24 and Kanevsky are similar to those discussed above in regard to Claim 1. Furthermore, Kanevsky's system does not teach that machine instructions are communicated to the client browser program for displaying a primary and additional content (Kanevsky, col. 2, lines 15-17). Instead, Kanevsky teaches that the Web page adaptation scheme is only partly incorporated on a client's computer, such as in a web browser. In any case, there is no teaching or suggestion of communicating machine instructions from a server to a client computer, as in applicants' claimed system. Accordingly, the rejection of independent Claim 24 under 35 U.S.C. § 102(e) over Kanevsky should be withdrawn.

With regard to amended independent (formerly dependent) Claim 25, applicants have clarified their patentably distinguishable computer-readable medium to distinguish over Kanevsky with regard to the functions carried out by execution of the machine instructions on a computer-readable medium. Claim 25 is patentable over the cited reference for similar reasons as those expressed above in regard to Claim 1.

Claims Rejected under 35 U.S.C. § 103(a)

Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanevsky in view of Tsirigotis et al. (U.S. Patent No. 6,098,096 hereinafter "Tsirigotis"). The Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method disclosed by Kanevsky as disclosed by Tsirigotis. However, Claim 10 depends from independent Claim 1, which is patentable for the reasons discussed above. And because dependent claims are considered to include all of the elements of the independent claims from which the dependent claims depend, dependent Claim 10 is patentable for at least the same reasons discussed above with regard to independent Claim 1. Accordingly, the rejection of dependent Claim 10 under 35 U.S.C. § 103(a) over Kanevsky in view of Tsirigotis should be withdrawn.

In view of the amendments and Remarks set forth above, it will be apparent that the claims in this application define a novel and non-obvious invention, and that the application is in condition for allowance and should be passed to issue without further delay. Should any further questions remain, the Examiner is invited to telephone applicants' attorney at the number listed below.

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    I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 13, 2004.

Date: February 13, 2004

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Enclosures
    Replacement Formal Drawing Transmittal Letter
    Replacement Formal Drawing FIGURE 7

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